

**EEOC TRAINING INSTITUTE**  
**Denver Technical Assistance Program Seminar Agenda**  
**September 8, 2004**

**Agenda Highlights:** We open our seminar with an overview of important EEO legal cases impacting the workplace and then offer six different workshop choices: harassment and hostile work environment; the ADA, FMLA and Workers Comp; how to do an internal EEO investigation; EEOC charge processing procedures; ADR the win-win alternative; and especially for federal employees, a session on what's happening in federal EEO. Our luncheon speaker will be a local employment attorney who will offer practical insights on preventing discrimination in the workplace.

**8:00 - 9:00 am**                      **Registration**

**9:00 - 9:15 am**                      **Welcome and Opening Remarks**  
*Jeanette M. Leino*, Acting District Director  
Equal Employment Opportunity Commission-Denver District

**9:15 - 10:00 am**                      **Recent Legal Developments in EEO**  
*J. Mark Baird*, The Baird Law Firm  
An overview of legal developments in the area of employment discrimination.

**10:00 - 10:15 am:**                      **BREAK**

**10:15 - 11:45 am:**                      **WORKSHOP "A" OPTIONS** (Select one of the following)

- 1.)    **Hostile Work Environment - More Than Sexual Harassment**  
*Rita Byrnes Kittle*, Trial Attorney, EEOC -Denver District  
*Laurie Scott-Paddock*, Law Office of Laurie Scott-Paddock  
*David D. Powell*, Attorney, Brownstein, Hyatt & Farber, P.C.  
What every manager needs to know about EEOC's guidance on harassment and vicarious employer liability. The discussion will include analysis of the Supreme Court rulings in Faragher v. City of Boca Raton and Burlington Industries v. Ellerth.
  
- 2.)    **The ADA, FMLA and Workers Comp: The Bermuda Triangle In Business**  
*Joseph Mitchell*, Regional Attorney, EEOC -Denver District  
*Joan Bechtold*, Partner, Collison & Bechtold  
The Americans with Disabilities Act, Family Medical Leave Act, and Workers Compensation has been described as the Bermuda Triangle in Business. This session will explain the differences between these laws and what an employer should do when determining whether an employee meets eligibility under one or more of these laws.

## Denver TAPS Agenda - Page 2

### Morning Workshops A (cont)

3.) **How to Investigate a Discrimination Complaint: Techniques for Employers**

*Andrew Williams*, Supervisory Investigator, EEOC, Denver District

This workshop will discuss mistakes many companies make when conducting internal EEO investigations and how to correct them. Included will be information on what evidence should be gathered, what witnesses, if any, should be interviewed, what questions should be asked, and how to conduct credibility assessments.

**11:45 - 1:00 pm: Lunch**

**12:30 - 1:00 pm: Keynote Address - Let's Talk**

*Bill Berger*, Partner, Stettner, Miller & Cohn P.C.

Mr. Berger's practice includes assisting and advising employers in preventative labor and employment practices. He is a frequent lecturer and author on labor and employment topics. His monthly column "Labor Law" appears in the *Denver Business Journal*. He is also a Professor of Law (adjunct) at the University of Denver College of Law, where he teaches Employment Law. In this keynote address, Mr. Berger will discuss legal matters that are important to the human resource specialist.

**1:15 - 2:45 pm: WORKSHOP "B" OPTIONS** (Select one of the following)

1.) **Hostile Work Environment - More Than Sexual Harassment**

*(Repeat Session)*

2.) **The ADA, FMLA and Workers Comp: The Bermuda Triangle In Business**

*(Repeat session)*

3.) **The EEOC Charge Processing Procedure**

*Colleen Scaramella*, Supervisory Investigator, EEOC -Denver District

*Barbara Wyngarden*, Attorney, Mountain States Employers Council

This session will focus on the EEOC charge processing procedures. Included will be information regarding how a charge of discrimination is classified, when mediation is offered, and when the legal unit becomes involved in the charge. This workshop will also address how employers should respond to a charge of discrimination.

**2:45 - 3:00 pm: BREAK**

**3:00 - 4:30 pm:**                    **WORKSHOP “C” OPTIONS** (Select one of the following)

- 1.)    **The EEOC Charge Processing Procedure**  
*(Repeat Session)*
- 2.)    **ADR - The Win/Win Alternative**  
*Jimmy Lovato, ADR Coordinator, EEOC- Denver District*  
*Paula Greisen, Partner, King & Greisen L.L.P.*  
*John Husband, Partner, Holland & Hart*  
Mediation has become a big part of the EEOC's process of resolving complaints. The attendees will have an opportunity to hear from the EEOC, an employer's representative and a plaintiff's representative on the advantages of mediation and of the public's acceptance of the EEOC's mediation program. A comparison of the cost of mediation to the cost of investigation and jurisdiction will be discussed. The presenters will also provide their personal experience with the EEOC's mediation program.
- 3.)    **EEO Information for the Federal Sector**  
*Kelly Humphrey, Administrative Judge*  
*Glenn Meyers, Administrative Judge*  
*Dickie Montemayor, Administrative Judge*  
*David Simonton, Administrative Judge*  
*Bernard Steinberg, Administrative Judge*  
*Ron Taoka, Administrative Judge*  
Equal Employment Opportunity Commission-Denver District  
From mediation to summary judgement, learn about the current topics in the federal sector. Included in this discussion will be information on hearings, mediation, damages in the federal sector and summary judgement. Time will be allotted for questions and answers.